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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/552,589	04/19/2000	Masato Ochiai	35.C14438	4086

5514 7590 12/08/2003

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EXAMINER

HAMILTON, MONPLAISIR G

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 12/08/2003

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/552,589

Applicant(s)

OCHIAI ET AL.

Examiner

Monplaisir G Hamilton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5,10-28,33,37-57 and 61-70 is/are pending in the application.
- 4a) Of the above claim(s) 58-60 is/are ~~withdrawn from consideration~~ *canceled* .
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5,10-28,33,37-57 and 61-70 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. The communication filed on 9/9/03 amended Claims 1, 10, 13, 15, 19, 22, 24, 28, 33, 44, 47, 50, and 55-57 added Claims 61-70 and cancelled Claims 58-60. Claims 1, 3, 5, 10-28, 33, 37-57 and 61-70 remain for examination.

Response to Arguments

2. Applicant's arguments with respect to Claims 1, 3, 5, 10-28, 33, 37-57 and 61-70 have been considered but are moot in view of the new ground(s) of rejection.

Priority

3. Should applicant desire to obtain the benefit of foreign priority under 35 U.S.C. 119(a)-(d), a translation of the foreign application(s) should be submitted under 37 CFR 1.55 in reply to this action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 5, 10, 12, 15, 17-19, 21, 24, 28, 33, 44, 46, 50, 55-57, 61, 63-65, and 67-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5872869 issued to Salgado, herein referred to as Salgado in view of US 5671404 issued to Lizee et al, herein referred to as Lizee.

Referring to Claims 1, 10, 19, 28, 44, 55, 56:

Salgado discloses a device search system comprising a server unit and a client unit (col 13, lines 30-45), wherein said client unit comprises: first request means for requesting said server unit to execute a first search in accordance with a number of attributes in order to search for a desired device on a network (col 19, lines 5-10); second request means for requesting said server unit to execute a second search in accordance with a part of the number of attributes used for the first search in order to search for a desired device on the network (col 19, lines 12-20, 35-40), and output means for outputting a search result from the first search when the recognition means recognizes that the result information shows the presence of at least one device (col 19, lines 38-43), and for outputting a search result from the second search, which shows, for each device completely meeting attributes used for the second search, that the device meets the attributes used for the second search (col 22, lines 49-62), and shows, for each device incompletely meeting the

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attributes used for the second search, at least one of the attributes that the device meets and a remainder of the attributes distinguishably from each other (col 22, lines 55-65), when the recognition means recognizes that the search result information shows the absence of at least one device (col 20, lines 20-55; col 22, lines 60-67).

Salgado does not explicitly disclose “recognition means for recognizing whether result information obtained from the first search executed by said server unit shows a presence or an absence of at least one device; second request means for requesting said server unit to execute a second search in accordance with a part of the number of attributes used for the first search in order to search for a desired device on the network, in response to a recognition by the recognition means that the result information shows the absence of at least one device”.

Lizee discloses a recognition means for recognizing whether result information obtained from the first search executed by said server unit shows a presence or an absence of at least one device (col 6, lines 1-10); second request means for requesting said server unit to execute a second search in accordance with a part of the number of attributes used for the first search in order to search for a desired device on the network, in response to a recognition by the recognition means that the result information shows the absence of at least one device (col 6, lines 3-15; Fig. 1A).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Salgado to implement Lizee’s automatically relaxable query. One of ordinary skill in the art would have been motivated to do this because it would allow a query to disregard conditions that returns an empty result set which would provide faster processing times (col 2, lines 50-55).

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Referring to Claims 15, 24, 33, 50, 57:

Salgado discloses an apparatus for searching a database in accordance with a query from a client unit, said apparatus comprising: execution means for executing a search in accordance with a search request from the client unit (col 18, line 65-col 19, line 25); database control means for controlling a database in which information for identifying a device on a network and information for various attributes of the device are registered, and for controlling execution of the search for the device in accordance with the search request from the client unit (col 19, lines 1-30); reception means for receiving from the client unit a first search for a device which satisfies a number of attributes on the network (col 19, lines 10-15); obtaining means for obtaining at least one attribute for use in a second search from the number of attributes for the first search (col 19, lines 15-25; Fig 10, block 232); search means for executing the second search for a device satisfying the at least one attribute obtained by said obtaining means (col 19, lines 10-30), and output means for outputting a search result from the first search when said recognition means recognizes that the result information shows the presence of at least one device (col 19, lines 38-43), and for outputting a search result from the second search, which shows, for each device completely meeting attributes used for the second search, that the device meets the attributes used for the second search (col 22, lines 49-62), and shows for each device incompletely meeting the attributes used for the second search, at least one of the attributes that the device meets and a remainder of the attributes distinguishably from each other (col 22, lines 55-65), when said recognition means recognizes that the result information shows the absence of at least one device (col 20, lines 20-55; col 22, lines 60-67).

Salgado does not explicitly disclose “recognition means for recognizing whether result information obtained from the first search shows a presence or an absence of at least on device obtaining means for obtaining at least one attribute for use in a second search from the number of attributes for the first search; search means for executing the second search for a device satisfying the at least one attribute obtained by said obtaining means, in response to a recognition by said recognition means that the search result information shows the absence of at least one device”.

Lizee discloses a recognition means for recognizing whether result information obtained from the first search shows a presence or an absence of at least on device; obtaining means for obtaining at least one attribute for use in a second search from the number of attributes for the first search (col 6, lines 1-10);; search means for executing the second search for a device satisfying the at least one attribute obtained by said obtaining means, in response to a recognition by said recognition means that the search result information shows the absence of at least one device (col 6, lines 3-15; Fig. 1A).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Salgado to implement Lizee’s automatically relaxable query. One of ordinary skill in the art would have been motivated to do this because it would allow a query to disregard conditions that returns an empty result set which would provide faster processing times (col 2, lines 50-55).

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Referring to Claims 61, 65, 69 and 70:

Salgado discloses a device search apparatus comprising: a first display unit, adapted to display result information obtained from a device search executed under a first search condition in which a number of attributes are designated (col 19, lines 1-10) a request unit, adapted to request a device search under the second search condition (col 19, lines 14-30); and a second display unit, adapted to display, for each device completely meeting the second search condition, that the device meets the second search condition (col 22, lines 49-62), and to display, for each device incompletely meeting the second search condition, at least one attribute in the second search condition that the device meets and other attributes distinguishably from each other (col 22, lines 55-65).

Salgado does not explicitly disclose an extraction unit, adapted to extract a part of the number of attributes designated in the first search condition for use as a second search condition.

Lizee discloses an extraction unit, adapted to extract a part of the number of attributes designated in the first search condition for use as a second search condition (col 6, lines 1-10).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Salgado to implement Lizee's automatically relaxable query. One of ordinary skill in the art would have been motivated to do this because it would allow a query to disregard conditions that returns an empty result set which would provide faster processing times (col 2, lines 50-55).

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Referring to Claims 3, 12, 17, 21, 46:

Salgado in view of Lizée discloses the limitations as discussed in Claims 1, 10, 15, 19, and 44 above. Salgado further discloses the output means selectively outputs the search result from the first search or the search result from the second search (col 19, lines 10-30).

Referring to Claim 5:

Salgado in view of Lizée discloses the limitations as discussed in Claim 1. Salgado further discloses storing symbol information, including graphical icon information, corresponding to an attribute used for the first search, and when the search result from the second search is outputted and when the information showing the presence or an absence of at least one device found in the first search is outputted, a presence or an absence at least one device or each attribute of each device is shown in accordance with a display mode of the graphical icon corresponding to each attribute (col 19, line 50-col 20, line 35).

Referring to Claim 18:

Salgado in view of Lizée discloses the limitations as discussed in Claim 17. Salgado further discloses control means returns the search result from the first search to the client unit when a device to be outputted as the search result is present, and returns the search result from the second search to the client unit when a device to be outputted as the search result is not present (Fig 10; col 19, lines 35-45).

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Referring to Claim 63 and 67:

Salgado in view of Lizée discloses the limitations as discussed in Claims 61 and 65 above. Lizée further discloses a recognition unit, adapted to recognize whether at least one device that meets the first search condition has been found (col 6, lines 1-10), wherein said extraction unit extracts a part of the number of attributes designated in the first search condition in response to a recognition result by said recognition unit (col 6, lines 3-10).

Referring to Claims 64 and 68:

Salgado in view of Lizée discloses the limitations as discussed in Claims 61 and 65 above. Salgado further discloses devices found in the device search under the first and second search conditions are displayed distinguishably from each other (col 19, lines 10-25).

5. Claims 11, 13-14, 16, 20, 22-23, 25-27, 37-43, 45, 47-49 and 51-54, 62 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5872869 issued to Salgado, herein referred to as Salgado in view of US 5671404 issued to Lizée et al, herein referred to as Lizée further in view of US 6348971 issued to Owa et al herein referred to as Owa.

Referring to Claims 11, 16, 20, 25, 45 and 51:

Salgado in view of Lizée discloses the limitations as discussed in Claims 10, 15, 19, 24, 44 and 50 above.

Salgado in view of Lizée does not explicitly disclose “attributes for device controlled by the database include an indispensable attribute registered whenever a device is registered in the

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database and attributes other than an indispensable attribute, and said second request means extracts only the indispensable attribute from the number of attributes used for the first search in order to request the second search.”

Owa discloses attributes for device controlled by the database include an indispensable attribute registered whenever a device is registered in the database and attributes other than an indispensable attribute (col 5, lines 5-10, 49-53), and said second request means extracts only the indispensable attribute from the number of attributes used for the first search in order to request the second search (col 6, lines 6-15).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Salgado and Lizée such that an indispensable attribute is part of both a first and second search. One of ordinary skill in the art would have been motivated to do this because it would link the first and subsequent search criteria, and it would enable the user to decide which conditions or attributes are important (col 5, lines 45-50).

Referring to Claims Claim 62 and 66:

Salgado in view of Lizée discloses the limitations as discussed in Claims 61 and 65 above.

Salgado in view of Lizée does not explicitly disclose “wherein the number of attributes designated in the first search condition include an indispensable attribute and an optional attribute, and an attribute extracted by said extraction unit for the second search condition are defined as an indispensable attribute.”

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Owa discloses wherein the number of attributes designated in the first search condition include an indispensable attribute and an optional attribute (col 5, lines 5-10, 49-53), and an attribute extracted by said extraction unit for the second search condition are defined as an indispensable attribute (col 6, lines 6-15).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Salgado and Lizée such that an indispensable attribute is part of both a first and second search. One of ordinary skill in the art would have been motivated to do this because it would link the first and subsequent search criteria, and it would enable the user to decide which conditions or attributes are important (col 5, lines 45-50).

Referring to Claims 13, 22 and 47:

Salgado and Lizée in view of Owa disclose the limitations as discussed in Claims 11, 20 and 45. Salgado further discloses output means outputs device names and information that shows attributes satisfied by the devices so that the user may select a desired one of the devices (col 17, line 65-col 18, line 10).

Referring to Claims 14, 23 and 48:

Salgado and Lizée in view of Owa disclose the limitations as discussed in Claims 11, 20 and 45. Salgado further discloses storing symbol information, including graphical icon information, corresponding to an attribute used for the first search, and when the search result from the second search is outputted and when the information showing the presence or an absence of at least one device found in the first search is outputted, a presence or an absence at

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least one device or each attribute of each device is shown in accordance with a display mode of the graphical icon corresponding to each attribute (col 19, line 50-col 20, line 35).

Referring to Claims 26 and 52:

Salgado and Lizee in view of Owa disclose the limitations as discussed in Claims 25 and 51 above. Salgado further discloses the output means selectively outputs the search result from the first search or the search result from the second search (col 19, lines 10-30).

Referring to Claims 27 and 53:

Salgado and Lizee in view of Owa disclose the limitations as discussed in Claims 26 and 52. Salgado further discloses control means returns the search result from the first search to the client unit when a device to be outputted as the search result is present, and returns the search result from the second search to the client unit when a device to be outputted as the search result is not present (Fig 10; col 19, lines 35-45).

Referring to Claims 37-43, 49, 54:

Salgado and Lizee discloses the limitations as discussed in Claims 1, 10, 15, 19, 24, 28, 33, 44, and 50 above.

Salgado and Lizee does not explicitly disclose the second search is executed based on at least one of a color printing attribute, a finishing attribute, and a print layout attribute, and the output means displays on a display unit at least one printer identifier that corresponds to a printer found in the second search.

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Owa discloses the second search is executed based on at least one of a color printing attribute, a finishing attribute, and a print layout attribute, and the output means displays on a display unit at least one printer identifier that corresponds to a printer found in the second search (col 5, lines 1-5; col 6, lines 10-40).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Salgado such that printing attributes are used in the second search. One of ordinary skill in the art would have been motivated to do this because it would allow the user to find a printer with the specified attributes (col 6, lines 50-65).

Prior Art

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6581097 issued to Lynch, John P. et al. Lynch discloses the invention is a method of establishing, and a structure for, a print stream job ticket. The method begins with receiving a unique job message identifier from a server client, where the identifier is representative of a particular print processing job. Once the identifier is received, the method locates a job ticket template database then attempts to match the received identifier with a template located in the database. The matching step is accomplished by plotting each element of the identifier to determine a set of elements to be mapped against a corresponding template. The identifier is then mapped against each one of the templates to determine a match based upon a set of matching rules. If a match exists, the matched template is selected to establish a new job ticket. If no match exists, then the next closest match between the identifier and any one of the

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templates is determined to establish a match; and, then the method creates a new job ticket template, and endows it with a set of print job parameters. The job ticket structure itself is representative of a print stream job to be performed by the client server. The structure comprises a unique ticket identifier representative of the job ticket. It further comprises a set of jobs, each job further comprising job properties that define one or more attributes of a particular job. The job ticket additionally comprises a set of links to activate one or more peripheral devices for producing the print stream job.

Final Rejection

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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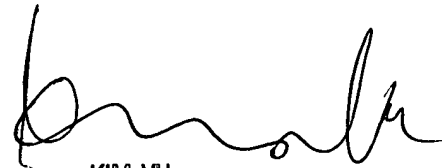
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monplaisir G Hamilton whose telephone number is 1703-305-5116. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on 1703-305-4393. The fax phone number for the organization where this application or proceeding is assigned is 1703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 1703-305-3900.

Monplaisir Hamilton



KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100